

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

NVBDCP – Establishment – LGS – Sri Md.Muzaffar Ahmed, Field Worker, S.E. UMS, Nalgonda – Regularization of services and release the periodical annual grade increments – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (J1) DEPARTMENT

G.O.Rt.No.363

Dated 18.03.2010

Read the following :-

1. From the DH, Hyd., Lr.Rc.No.3562/E4.C/2005, dated 10.2.2009
2. Govt.Memo.No.2681/J1/2009-4, dated 13.5.2009
3. From the DM&HO, Nalgonda, Lr.Rc.No.2681/DMO/NLG/2010, dated 05.01.2010

\$\$\$

O R D E R :

In the letter 1st read above the Director of Health, Hyderabad has stated that Sri Md.Muzaffar Ahmed, Field Worker, who was initially appointed as Field Worker as per the order of the District Malaria Officer Nalgonda vide Lr.Rc.No.133/Estt/ NMEP/1991 under rule 7 (a) (1) (i) of A.P.L.G.S. Rules in the time scale of 740-750 has filed O.A. in the Hon'ble APAT, bearing No.9305/02 for awarding the Annual Grade increment regularly. The District Medical and Health Officer, Nalgonda filed counter affidavit and the Hon'ble APAT has dismissed the O.A. duly giving liberty to the applicant to approach the appropriate authority.

2. The Director of Health, Hyderabad has further stated that the applicant has filed a representation dated 13.10.2008 wherein he has stated that the orders issued by the then District Malaria Officer, vide Lr.No.133/Estt/NMEP/90-91, dated 20.2.1991 holds good as per the G.O.Rt.No.1460, M&H Dept dt.14.7.1992 on the basis of which he was exonerated from the charges level against him vide Director of Health, AP, Hyderabad, Lr.No.12374/E2C/1991, dated 23.2.1993. The individual has approached the Hon'ble High Court by filing W.P.No.25967/2006. A counter has filed by the District Medical and Health Officer, Nalgonda.

3. The Director of Health, has also stated that the Hon'ble High Court in its orders dated 4.7.2008 in W.P.No.25967/06 has set aside the orders of the Tribunal dated 6.11.2006 in O.A.No9305/02 duly allowing the W.P. and made the following.

"The petitioner was appointed in the year 1991 as Field Worker and being continued in service till date. When the petitioner has filed O.A.No.9305 of 2002 seeking increments, respondents have raised an objection that the petitioner was appointed without his name being notified by the Employment Exchange. The said contention cannot be accepted at this length of time. The petitioner was appointed temporarily under Rule 7 (a) (1) (i) of Last Grade Service Rules in the time Scale of Rs.740-1150 with all usual allowances and was working for the last several years. The Tribunal misguided itself and dismissed the O.A. In the above circumstances, the order passed by the Tribunal is liable to be set aside. Accordingly, the W.P. is allowed and the order impugned is set aside."

4. The District Medical and Health Officer, Nalgonda has filed SLP against the High Court judgment dated 4.7.2008. The Hon'ble Supreme Court C.C.No.10594/2009, dated 09.11.2009 has dismissed the SLP on the ground of delay.

(P.T.O.)

5. In view of dismissal of SLP by the Supreme Court of India, the District Medical and Health Officer, Nalgonda has requested the Government to accord permission to regularize the services of the applicant and to release the Annual Grade Increments w.e.f. Feb.1992 onwards as per the orders of the A.P. High Court dated 4.7.2008 in W.P.No.25967 /2006.

6. The Government after careful examination hereby pleased to accord permission to the Director of Health / District Medical and Health Officer, Nalgonda to regularize the services of Sri Md.Muzaffar Ahmed Field Worker, S.E, UMS, Nalgonda and to release the periodical annual grade increments to the applicant w.e.f 1.2.1992 till date (i.e. from the date of appointment) along with (8) years and (16) years scale in the category of Field Worker.

7. The Director of Health shall take necessary further action in the matter accordingly.

8. This orders issues with the concurrence of Finance (PC.III) Department vide their U.O.No.3731-A/83/A1/PC.III/2010, dated 06.03.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.P.V.RAMESH
SECRETARY TO GOVERNMENT

To
The Director of Health, A.P., Hyderabad
Copy to :-
The District Medical and Health Officer, Nalgonda
The individual (through DH, Hyd.,)
The District Treasury officer, Nalgonda
The Government Pleader for M&H (Ser.I) A.P. High Court, Hyderabad
(w.r.t. orders dated 4.7.2008 in W.P.No.25967/06
SF/SCs.,

// forwarded :: by order //

SECTION OFFICER